



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,065	04/30/2001	Samson X. Huang	INTL-0563-US (P11334)	4510

7590 11/26/2003

Timothy N. Trop
TROP, PRUNER & HU, P.C.
STE 100
8554 KATY FWY
HOUSTON, TX 77024-1805

EXAMINER

DHARIA, PRABODH M

ART UNIT	PAPER NUMBER
----------	--------------

2673

DATE MAILED: 11/26/2003

S

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,065

Applicant(s)

HUANG, SAMSON X.

Examiner

Prabodh M Dharia

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2673

1. **Status:** Receipt is acknowledged of papers submitted on 10-09-2003 under request for reconsideration have been placed of record in the file. Claims 1-11 are pending in this action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-11, are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. (5,073,010).

Regarding Claim 1, Johnson et al. teaches a method comprising: biasing a first plate spatial light modulator (Col. 10, Lines 11-26) with alternating signals of a first and second polarity (Col. 6, Line 60 to Col. 7, Line 9) and biasing a second plate of a spatial light modulator with only first polarity (Col. 10, Lines 23,24).

Regarding Claim 2, Johnson et al. teaches biasing a top plate and a pixel electrode (Col. 10, Lines 11-26).

Regarding Claim 3, Johnson et al. teaches biasing said top plate to a negative voltage (Col. 10, Lines 19-26).

Art Unit: 2673

Regarding Claim 4, Johnson et al. teaches maintaining said pixel electrode at a positive voltage (Col. 10, Lines 38-50).

Regarding Claim 5, Johnson et al. teaches biasing said pixel electrode across its full dynamic range (Col. 10, Lines 38-50).

Regarding Claim 6, Johnson et al. teaches alternately biasing the top plate negatively and positively (Col. 10, Lines 19-26, Lines 38-50).

Regarding Claim 7, Johnson et al. teaches a spatial light modulator (Col. 5, lines 52-55) comprising: a top plate (Col. 10, Lines 21-24); a liquid crystal layer (Col. 6, lines 54-59); a pixel electrode (Col. 9, Lines 42-58), said top plate and said pixel electrode sandwiching said liquid crystal layer (Col. 6, lines 39-59, Col. 9, lines 42-65); and a drive circuit to apply positive and negative bias potentials to one of said electrode and said top plate (Col. 9, lines 42-65, Col. 10, Lines 19-26, Lines 38-50) and to bias the pixel electrode with only a positive potential (Col. 10, Lines 38-50).

Regarding Claim 8, Johnson et al. teaches a drive circuit to apply a negative bias potential to said top plate (Col. 9, lines 42-65, Col. 10, Lines 19-26, Lines 38-50).

Art Unit: 2673

Regarding Claim 9, Johnson et al. teaches wherein said spatial light modulator is a liquid crystal over silicon spatial light modulator (Col. 5, lines 52-55, Col. 6, Lines 39-59, Col. 9, lines 42-65).

Regarding Claim 10, Johnson et al. teaches wherein said drive circuit applies positive and negative bias potentials in alternating frames (Col. 6, Line 60 to Col. 7, Line 11, Col. 9, Line 66 to Col. 10, Line 10).

Regarding Claim 11, Johnson et al. teaches wherein said top plate is formed of indium in oxide (Col. 6, Lines 54-59, Col. 9, Lines 42-65).

Response to Arguments

4. Applicant's arguments filed 10-09-2003 have been fully considered but they are not persuasive.
5. Applicant's argues Johnson teaches specifically AC potential is applied to both top and bottom.
6. Examiner argues Johnson also has reverse bias diode connected between top and bottom plate, which supplies positive and negative potential to top plate and positive potential to bottom plate (figure3&4, Col. 6, Line 60 to Col. 7, Line 9, Col. 10, Lines 23,24). However, applicant suggesting (or implying) there are two separate supplies for top (first) and bottom (second) plate, it is not recited in any of the independent claims.

Art Unit: 2673

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is informed that all of the other additional cited references render the claims obvious.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2673

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 703-605-1231. The examiner can normally be reached on M-F 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-3054938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9341 for regular communications and 703-872-9341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Any response to this action should be mailed to:

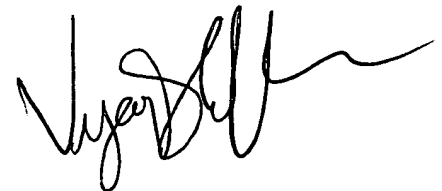
Commissioner of Patents and Trademarks

Washington, D.C. 20231

PD

AU2673

November 19, 2003



VIJAY SHANKAR
PRIMARY EXAMINER